

**REMARKS****I. Status of the Claims:**

Claims 1-34 are currently pending.

By this Amendment, claims 1 and 34 have been amended and new claims 35 and 36 have been added. No new matter has been introduced by this Amendment.

Upon entry of this Amendment, claims 1-36 would be pending.

**II. Rejections under Sections §102 and §103**

Claims 1-18, 21-25, 31-32, and 34 have been rejected under 35 U.S.C. §102(e) as being anticipated by Doi et al. (US 2001/0014911). Claims 19, 26-28 and 30 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Doi. Claim 20 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Doi in view of Rajchel et al. (USPN 6,496,931). Claim 33 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Doi in view of Carothers et al. (US 2002/0069117). Claim 29 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Doi in view of Owen et al. (USPN 6,611,501). Applicants respectfully traverse the rejection of these claims, for the reasons set forth below.

**1. Claim 1:**

Independent claim 1 is directed to a method involving recognizing one or more service opportunities of a service operator on a user device operated by a user; determining a privacy level at which communications is conducted with the service operator; and conducting the communications with the service operator at the privacy level.

On the contrary, Doi shows a mobile terminal 10 capable of communication with a location dependent service provider, across a wireless network 18, wireless gateway 20, internet 20. The wireless gateway 19 provides a user ID randomizer and can conceal the User ID (of the

mobile terminal) or replace the User ID with a temporary ID or ID of the gateway when passing communications from the mobile terminal 10 to the location dependent service provider. In operation, the mobile terminal sends a service request to the already known location dependent service provider (and its services) across the wireless network 18, gateway 19 and Internet 20. Thus, the mobile terminal 10 does not perform any recognizing one or more service opportunities of the location dependent service provider.

As best understood, the Examiner, however, appears to rely upon “access points” of the communication network infrastructure itself as the claimed service opportunit(ies) and not the services offered by the location dependent service provider. See Office Action, page 2. This position is inconsistent with the Examiner’s reading of Doi (e.g., Figs. 11-12, p.6, ¶¶67-73) on the remaining claimed elements, e.g., the determining and the conducting, which recite the same service operator. Specifically, in Doi, the service operator of the “access points” (as relied upon by the Examiner) simply appears to be the communication network operator, not the location dependent service provider. Such an interpretation would also be contrary to the claimed privacy arrangement since the operator of the “access point” actually receives the User ID. Thus, Doi does not disclose or suggest the claimed recognizing one or more service opportunities of a service operator and, accordingly, the claimed determining and conducting.

In view of the foregoing, claim 1 and the claims dependent therefrom are patentably distinguishable over the cited references.

**2. Claim 34:**

Independent claim 34 is directed to a method involving recognizing one or more service opportunities of a service operator on a user device operated by a user; determining a privacy level at which communications is conducted with the service operator relating to the one or more

service opportunities on the user device; determining a profile access level on the user device; transmitting the profile access level to the service operator; and enabling the service operator to obtain a subset of profile information of the user from the profile operator according to the profile access level.

For similar reasons as discussed above for claim 1, Doi does not disclose or suggest the claimed recognizing and determining.

Further, Doi does not disclose or suggest transmitting the profile access level to the service operator, and enabling the service operator to obtain a subset of profile information of the user from the profile operator according to the profile access level. For example, Figs. 2 and 3 of Doi, as relied upon by the Examiner, simply show a dynamic user profile maintained by mobile terminal and a schematic diagram of a processing flow of providing a location dependent service, respectively. As shown in Fig. 3 of Doi, the mobile terminal sends a service request along with the dynamic user profile to the location dependent service providing server. Accordingly, Doi is silent as to any profile operator, any transmission of a profile access level to the service operator, and any capability which enables the service operator to obtain a subset of profile information of the user from the profile operator according to the profile access level.

In view of the foregoing, independent claim 34 is also patentably distinguishable over the cited references.

## **2. New Claims 35 and 36:**

New dependent claim 35 further recites that the conducting the communications comprises controlling on a user side information communicated to the service operator at the privacy level. New dependent claim 36 further recites that the user device controls the information sent from the device according to the privacy level.

On the contrary, Doi provides a system in which the provision of the identity of the user (e.g., User ID) to a service provider is implemented through the Gateway 19, a user non-identification service providing server 31, and/or a user identification service providing server 31. Accordingly, Doi also does not disclose or suggest the claimed arrangement of claims 35 and 36.

### **CONCLUSION**

Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application.

**AUTHORIZATION**

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4503, Order No. 4208-4007.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4503, Order No. 4208-4007.

Respectfully submitted,  
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